

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>KIA LEWIS,</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>CIVIL ACTION</b>
<b>v.</b>	)	<b>NO. 08-cv-1144</b>
	)	
<b>TRIBECA LENDING, et al.</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

**AND NOW**, this 16<sup>th</sup> day of October 2009, upon consideration of Third Party Plaintiffs' Request for Default Judgment [docket entry No. 23], Third Party Defendant's Motion to Strike and, In the Alternative, Petition to Open and Stay Judgment [docket entry No. 25], Third Party Plaintiffs' Responses thereto, after oral argument from the parties, and for the reasons set forth in the attached Memorandum Opinion, it is hereby **ORDERED** that:

1. Third Party Defendant's Motion to Strike and, In the Alternative, Petition to Open and Stay Judgment [docket entry No. 25] shall be construed as a Request to Set Aside Entry of Default;
2. Third Party Defendant's Request to Set Aside Entry of Default is **GRANTED**;
3. Default entered against Third Party Defendant on June 10, 2009 and again on July 9, 2009 shall be **SET ASIDE**; and
4. Third Party Plaintiffs' Request for Default Judgment is **DENIED**.

It is so **ORDERED**.

**BY THE COURT:**

/s/ CYNTHIA M. RUFE  
**CYNTHIA M. RUFE, J.**